

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	ALBERT ANDERSON LAURA ANDERSON, Debtors	: : : :	Chapter 13 Bky. No. 16-15968 ELF
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ORDER

AND NOW, the Debtor's chapter 13 plan having been confirmed by Order dated **February 21, 2017**;

AND, upon consideration of the Application for Compensation filed by the Debtor's counsel ("the Applicant"), in which the Applicant requested the **allowance of compensation in the amount of \$5,445.00**;

AND, upon the Applicant's certification that proper service has been made on all interested parties and upon the Applicant's certification of no response;

AND, notwithstanding the absence of an objection to the request for compensation, the Court of Appeals having held that the bankruptcy court "has a duty to review fee applications, notwithstanding the absence of objections by the United States trustee . . . , creditors, or any other interested party, a duty which . . . derives from the court's inherent obligation to monitor the debtor's estate and to serve the public interest," In re Busy Beaver Bldg. Centers, Inc., 19 F.3d 833, 841 (3d Cir. 1994) (emphasis in original);

AND, the court finding it appropriate to make disallow, in part, the Applicant's request for compensation, due to the inadequate description of the services rendered by counsel,¹ as

¹ See L.B.R. 2016-3(a)(1) (requiring applications to include a description of services
(continued...))

summarized in more detail on the attached Appendix;²

It is therefore **ORDERED** that:

1. The Application is **GRANTED IN PART AND DENIED IN PART**.
2. Compensation is **ALLOWED** in favor of the Applicant in the amount of **\$ 4,143.00**.
3. The Chapter 13 Trustee chapter 13 is authorized to distribute to the Applicant as an administrative expense pursuant to 11 U.S.C. §1326(b), 11 U.S.C. §507, 11 U.S.C. §503(b) and 11 U.S.C. §330(a)(4)(B), the allowed compensation set forth in ¶2 less **\$ 1,782.00** which was paid by the Debtor prepetition, to the extent such distribution is authorized under the terms of the confirmed chapter 13 plan.

Date: February 28, 2017



ERIC L. FRANK
CHIEF U.S. BANKRUPTCY JUDGE

¹(...continued)

performed that identifies each service separately in sufficient detail to allow evaluation of the benefit derived from the service, the date each service was performed and the time expended); see also In re Green Valley Beer, 281 B.R. 253, 259 (Bankr. W.D. Pa. 2002) (“Courts have refused repeatedly to approve unitemized disbursements for services that are lumped together in a single entry, because such action inhibits the court from estimating the reasonableness of the individual services and their value to the debtor’s estate”); In re Jefsaba, 172 B.R. 786, 801 (Bankr. E.D. Pa. 1994) (only time entries separately listed and explained in detail are compensable).

² The Appendix consists of the Applicant’s time records, which I have annotated to itemize the compensation that I have disallowed.

Legal Fees Breakdown

Albert & Laura Anderson (16-15968ELF)

Attorneys (\$335.00/hour billed in tenths of an hour):

Brad J. Sadek, Esq.

Matthew H. Lazarus, Esq.

Patrick J. Cooper, Esq.

15 Hours x \$335.00/hour = \$5,025.00

Paralegals (\$125.00/hour billed in tenths of an hour):

4.2 Hours x \$125.00/hour = \$420.00

Total: \$5,025.00 + \$420.00 = \$5,445.00

APPENDIX

JAN 16, 2017 10:25AM

Best Case Bankruptcy Case Notes

Anderson, Laura & Albert

Note Subject	User Name	Created	Time Disallowed	Amor. Disall
.2 ICE and OGE to cl regarding creditors in Plan and plan duration	BJS	1/13/17		
.5: Amend Ch. 13 Plan	MHL	1/06/17		
.3 ICE and OGE to cl	BJS	1/03/17	0.30	100.50
.4: File Amended Plan/Ltr to client	KMC	12/27/16		
.2 review claims	BJS	12/23/16		
.3 ICE and OGE to opc	BJS	12/23/16	0.30	100.50
.2 ICE and OGE to cl no pmts to pella outside plan	BJS	12/12/16		
.3 OC to wells fargo re: pella poc f/u poc, amd poc to be filed today	BJS	12/12/16		
.1 email to opc remove arrears from poc the will sign stip	BJS	12/08/16		
.3 review stip and poc	BJS	12/08/16		
.4 OC to wells poc claim 15-1 reduced to 3,000 co-debtor not liable	BJS	12/07/16		
.3 ICE and OGE to opc 2nd mort agreed to 15,000 as secured	BJS	12/07/16		
.2 OGE to opc offer 13k	BJS	12/06/16		
.6 ICE and OGE to cl	BJS	12/05/16	0.60	201.00
.2 ICE from opc	BJS	12/05/16	0.20	67.00
.2 ICE and OGE re: tax returns not part of plan	BJS	12/01/16		
.1 ICE from cl not providing Income and Expense sheets until a counter from opc re: 2nd mort	BJS	12/01/16		
.4 3 ICE's from cl wants us to communicate directly with H, will send updated Income and expense sheets	BJS	11/30/16		
.6 email to cl re: appraisal	BJS	11/29/16		
.2 OGE to opc	BJS	11/29/16	0.20	67.00
.4 OC to cl discussed appraisal, will reach out to opc to negotiate secured portion of 2nd mort, cl not working need new income and exp sheets	BJS	11/29/16		
.3 ICE review appraisal	BJS	11/29/16		
.1 OGE to cl re: offer and need appraisal for our counter	BJS	11/16/16		

Subtotal 1.60 \$ 536.

Best Case Bankruptcy Case Notes

Anderson, Laura & Albert

Time Disallowed	Amount Disallowed	JAN 16, 2017 10:25AM		
		Note Subject	User Name	Created
		.3 ICE and OGE to opc re: poss adv and appraisal	BJS	11/16/16
		.2 OGE to cl status of appraisal?	BJS	11/16/16
		.3 OGE to opc re: will get appraisa resolution of poc?	BJS	11/16/16
		.1 OC to opc case mgmt cancelled	BJS	11/14/16
0.20	67.00	.2 OC to CH re: case mgmt conf	BJS	11/14/16
0.20	67.00	.2 IC from OPC	BJS	11/14/16
0.30	100.50	.3 OC to case mgmt	BJS	11/10/16
0.20	67.00	.2 OC to opc	BJS	11/10/16
		.3: Confirmation review	MHL	11/04/16
		.4 sugg of bk filed	BJS	11/03/16
0.30	100.50	.3 OGE	MHL	11/03/16
		2.1: 341 Travel/attendance	MHL	10/26/16
		.1 OC for 341 Reminder	JLG	10/25/16
		.3: IC from client re car/RE	MHL	10/11/16
		.3: OC to client Went to continued hearing. Asked us to email from now on.	KMC	10/03/16
		.3: Resched 341 Ltr to clients	KMC	9/30/16
0.20	67.00	.2 ICE and OGE to cl	BJS	9/29/16
0.20	67.00	.2 ICE and OGE to cl	BJS	9/29/16
		.4: Upload 341 doc/Ltr to client	KMC	9/20/16
		.2 IC emails from cl for 341 docs	BJS	9/15/16
0.30	100.50	.3: obj rev	MHL	9/15/16
		.3 OC to cl re: co -debtor liability	BJS	9/12/16
0.20	67.00	.2 OC to cl lvm	BJS	9/09/16
		.3 341 Prep	RAS	9/09/16

Subtotal 2.10 hours

\$703.50

JAN 16, 2017 10:25AM

Best Case Bankruptcy Case Notes

Anderson, Laura & Albert

<u>Time Disallowed</u>	<u>Amount Disallowed</u>	<u>Note Subject</u>	<u>User Name</u>	<u>Created</u>
		.5: File Petition/Send TT Pymnt Ltr	KMC	8/24/16
0.30	37.50	.3: Pre-filing updates	KMC	8/24/16
		.5 meet with cl's prior to filing	BJS	8/17/16
		1.4: Petition prep	KMC	8/10/16
0.20	25.00	.2 PIF letter to client	RAS	6/22/16
		.2 IC from cl	BJS	5/27/16
		1.3 meet with cl and file setup	BJS	5/27/16

Sub total : 0.50 hours \$ 62.50

Total 4.20 hours \$ 1,302.00